

REMARKS

Claims 1-37 are pending. By this Response, claims 1 and 30 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Prior Art Rejection

Claims 1-37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jensen et al. (US 5,671,219). This rejection is respectfully traversed.

In the claimed embodiments of the present invention, the interruptions targeted by the invention are those interruptions generated by the transmitting side as a consequence of the SUTI (being sent/transmitted in lumps (clusters)). Independent claims 1 and 30 have been amended so that is made clear that only interruptions that are generated by the transmitting side are covered by the claim, thus explicitly excluding the "Jensen types" of interruption due to various unintended signal distortions such as low signal quality, severe signal blocking etc. Specifically the claims have been amended to recite:

"...the continuous flow of information including specific user terminating information transmitted in clusters, the receiver including..."
and
"...predicting an interruption in the form of a natural break in the transmitted flow of specific user terminating information..."

The Examiner states that Jensen disclose the steps of: "Monitoring packets of information being received within a set interval, and switches to one of previously stored channels, if the overall link quality drops below a measured threshold" and makes the conclusion that these steps meets the limitations of the claim.

This particular conclusion is wrong, mainly because it is based on the assumption that the interruptions in Jensen which as stated by the Examiner in the Office Action are "interruption due to various natural interruption: low signal quality, severe signal blocking when turning corner quickly or dense urban high rise, etc.," are equivalent to the "natural breaks in the flow of specific user terminating information" that are described in the present invention. Applicants respectfully submit that these are NOT equivalent. There are fundamental technical differences in these different types of interruptions:

The "Jensen type" of interruption is due to various types of unintended distortions of the transmitted signal created during the transmission to the receiver. These include "low signal quality, severe signal blocking when turning corner quickly or dense urban high rise, etc." This is contrary to the type of interruptions discussed in the present invention which are caused by the intentional clustering of different "Specific User Terminating Information" (SUTI) in the transmitter side, i.e. these are recurring interruptions in a particular service that are actually intended in order to let different services (intended for or desired by different users or groups of users) dynamically share the "air time."

Therefore, since the present invention targets interruptions in the transmitted flow of information it is quite clear that the "Jensen type" of detection of interruptions is not relevant for the present invention since it only detects interruptions in the received flow of information, not interruptions in the transmitted flow of information.

Further, the "indication of the end" of a duster is part of the SUTI. This is not possible for "Jensen types" of interruptions, where the "indication of the end" corresponds to when "the overall link quality drops below a measured threshold" according to the Examiners arguments. However, the link quality dropping below a threshold can never be considered being a part of the SUTI itself, which per

definition comprises "the information that is desired by the receiver in question, or user thereof" (see [0008]) and nothing else.

Therefore, in view of the above, Applicants respectfully submit that Jensen's fails to teach each and every feature of Applicants independent claims 1 and 30. Further dependent claims 2-29 and 31-37 are also distinguished from the prior art for their dependence on the independent claims as well as for the features they recite. Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For at least the above reasons Applicants respectfully submit Claims 1-37 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By *CC Belly 48917*
for
Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant